

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROVE LLC,

Plaintiff,

-against-

ANTONIO168 ET AL.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 5/25/2023

20-cv-02124 (ALC)

ORDER

ANDREW L. CARTER, United States District Judge:

Plaintiff Rove LLC (“Plaintiff”) brings this action against Defendants¹ for trademark infringement of Plaintiff’s federally registered trademarks in violation of § 32 of the Federal Trademark (Lanham) Act, 15 U.S.C. §§ 1051 et seq.; counterfeiting of Plaintiff’s federally registered trademarks in violation of 15 U.S.C. §§ 1114(1)(a)-(b), 1116(d), 1117(b)-(c); false designation of origin, passing off and unfair competition in violation of Section 43(a) of the Trademark Act of 1946, as amended (15 U.S.C. §1125(a)); and related state and common law claims. Compl., ECF No. 4 ¶¶ 1, 53-91. The Clerk of Court entered a Certificate of Default as to the non-appearing Defendants² on March 27, 2023. See ECF No. 15. Plaintiff moved for default judgment on March 28, 2023. ECF Nos. 16-19. On April 4, 2023, the Court issued an Order to Show Cause as to why an order pursuant to Fed. R. Civ. P. 55 entering default judgment should not issue. ECF No. 20. On April 4, 2023, Plaintiff served the Order to Show Cause and its papers in

¹ Antonio168, Budfang, Bud_porn, Bugool, Cbdudvape, Cbdopen2016, Cbdtank, Cbd_vape_pen, Cigmvp, Dankmanufacture, Evafun, Fpindustry, Gadgettop, Green_store01, Green_supply, Hempvape01, Hotcartridge, Ismok, Jpodfactory, Kangertech01, Keweisitong, Levape, Liuxi19880510, Marvelous2019, Nacthy, Nuwell, Senmar, Sexvp, Smoktech88, Smokvape, Summer0816, Szcngate, Szcarden, Trustway, Txalbert_cigsltd, Vapefactory880, Vaporkingdom, Vapormaker, Xiaxiaanan, Xuxiu99 and Yujinlin.

² Defendants bud_porn, budfang, Bugool, cbd_vape_pen, cbdudvape, cbdopen2016, cbdtank, cigmvp, evafun, fpindustry, gadgettop, green_store01, green_supply, hotcartridge, ismok, jpodfactory, keweisitong, levape, liuxi19880510, marvelous2019, nacthy, nuwell, senmar, smoktech88, smokvape, summer0816, szcngate, szcarden, trustway, Txalbert_cigsltd, Vapefactory880, vaporkingdom, vapormaker, xiaxiaanan, xuxiu99, and yujinlin

support of the motion for default judgment pursuant to the methods of alternative service authorized by the TRO and PI Order on every non-appearing Defendant, except Defendants hotcartridge and keweisitong. *See* Certificate of Service, ECF No. 22 ¶ 6. Plaintiff seeks default judgment and an award of damages against these defendants. *See* Ex. E to Affidavit of Danielle (Yamali) Futterman, ECF No. 17-5 at 2.

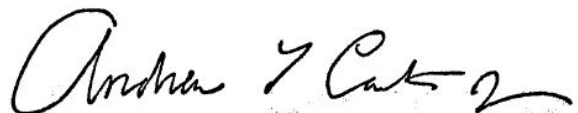
Additionally, in Plaintiff's memorandum of law in support of the motion for default judgment, Plaintiff cites to the Declarations of Phil Hon, Jessica Arnaiz, and Danielle S. Yamali. Plaintiff also cites to its TRO Application and Exhibit C of the Complaint. The Plaintiff has not provided copies of these documents to the Court in support of its motion for default judgment.

Plaintiff is hereby **ORDERED** to file copies of these documents on or by **May 31, 2023**. Plaintiff is also **ORDERED** to submit a supplemental letter on or by **June 2, 2023** explaining why it did not serve the Order to Show Cause, ECF No. 20, on Defendants hotcartridge and keweisitong and why it is appropriate for this Court to enter default judgement against these non-appearing defendants.

Plaintiff is directed to serve a copy of this order on Defendants no later than **May 26, 2023**. Plaintiff shall file proof of service with the Court by **May 30, 2023**.

SO ORDERED.

Dated: May 25, 2023
New York, New York



ANDREW L. CARTER, JR.
United States District Judge